

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KENDALL JITTA,

Plaintiff,

CV-09-2868 (ARL)

-against-

P.O. MARK POLSTEIN, P.O. ROWLEY AND  
COUNTY OF NASSAU,

Defendants.  
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**DECLARATION OF RALPH J. REISSMAN IN SUPPORT  
OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

1. I am a Deputy County Attorney in the office of Nassau County Attorney John Ciampoli, attorney for defendants, County of Nassau, Nassau County Detective Mark Polstein and Nassau County Police Officer Alexander Rowley in the captioned action. As such, I am familiar with the facts and circumstances set forth herein, as a result of investigation, interviews with Nassau County officials and employees, and my review of the files maintained by the County Attorney and other Nassau County departments and agencies for the within matter.

2. I submit this Declaration in support of defendants' motion seeking an order granting summary judgment in favor of defendants, and dismissing the Amended Complaint of plaintiff, Kendall Jitta, in its entirety, on the ground that there is no genuine issue as to any material fact to be tried, and that defendants are entitled to judgment as a matter of law.

3. The purpose of this Declaration is to introduce defendants "A" through "R" annexed hereto, as set forth below.

| <b><u>EXHIBIT</u></b> | <b><u>DESCRIPTION</u></b>   |
|-----------------------|---|
| A                     | Deposition transcript of Shala Mohammed conducted March 16, 2010  |
| B                     | Deposition transcripts of Kendall Jitta conducted February 8 and August 20, 2010                            |
| C                     | Deposition transcript of Alexander Rowley conducted February 23, 2010                                       |
| D                     | Nassau County Police Department OPS 6310 – Domestic Incidents   |
| E                     | Domestic Incident Report dated July 11, 2008  |
| F                     | Notes of Nassau County Det. Edward Rogan (typed and handwritten)  |
| G                     | Deposition transcript of Det. Edward Rogan conducted May 11, 2010   |
| H                     | Nassau County Police Department OPS 2131<br>Arrest Processing – Domestic Incidents                          |
| I                     | Misdemeanor Complaint –Domestic Violence (DV-85) dated July 11, 2008  |
| J                     | Nassau County Police Department, Rules, Article 17 – Arrests  |
| K                     | Deposition transcript of Mark Polstein conducted February 24, 2010  |
| L                     | Arrest Report – 208AR0012930  |
| M                     | Crime Report – PDCN 85ASJ -208CR0057470   |
| N                     | Case Report – PDCN 32SJ – 208CR0057470  |
| O                     | District Attorney Arraignment Form and Intake Notes   |
| P                     | District Court Transcript, September 29, 2008<br>and Notes of Assistant District Attorney Janet Mastanduono |
| Q                     | Amended Complaint dated March 26, 2010  |
| R                     | Answer to Amended Complaint dated April 16, 2010  |

Dated: November 16, 2010  
Mineola, New York

/s/ Ralph J. Reissman  
RALPH J. REISSMAN